

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIA HAYER,

Plaintiff,

v.

ALEX LIVERANT,

Defendant.

Case No. 22-cv-05420-VC

**ORDER GRANTING MOTION FOR
PRELIMINARY INJUNCTION**

Re: Dkt. No. 12

The motion for a preliminary injunction is granted. For good reason, Liverant does not dispute that the irreparable harm, balance of equities, and public interest factors weigh in Hayer's favor. Accordingly, Hayer must show only "serious questions" going to the merits, "a lesser showing than likelihood of success." *Fellowship of Christian Athletes v. San Jose Unified School District Board of Education*, 46 F.4th 1075, 1091 (9th Cir. 2022).

Hayer has done at least this much. She has established serious questions as to whether she is disabled and requires an emotional support animal to cope with her disability. And she has established serious questions as to whether Liverant effectively denied the accommodation by approaching the interactive process in such an aggressive and overbearing manner, not to mention by serving Hayer with a 10-day notice to cure or face eviction.

For these and all the reasons expressed at the hearing, Liverant is enjoined from requiring Hayer to remove the animal from the premises or evicting Hayer based on the presence of the animal while this litigation is pending.

IT IS SO ORDERED.

Dated: November 22, 2022



VINCE CHHABRIA
United States District Judge